

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

PARKERSBURG DIVISION

KATHY V. DYE,

Plaintiff,

v.

CIVIL ACTION NO. 6:06-cv-00531

JOHN E. POTTER,

Defendant.

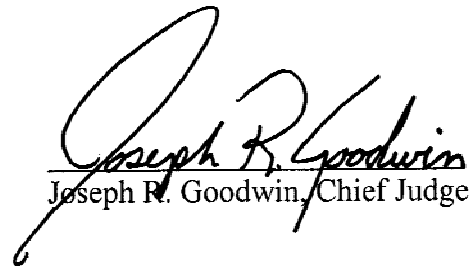
ORDER

Pending before the court is the defendant's Motion for Summary Judgment [Docket 26]. This action was referred to the Honorable Mary E. Stanley, United States Magistrate Judge, for submission to this court of proposed findings of fact and recommendations for disposition, pursuant to 28 U.S.C. § 636(b)(1) (2006). On August 14, 2008, the Magistrate Judge submitted findings of fact and recommended that this court **GRANT** the defendant's motion for summary judgment. Neither party has filed objections to the proposed findings of fact and recommendation.

Accordingly, the court accepts and incorporates herein the findings and recommendations of the Magistrate Judge. The court **GRANTS** the defendant's Motion for Summary Judgment, and the matter is **DISMISSED** and **STRICKEN** from the docket.

The court **DIRECTS** the Clerk to send a copy of this Order to Magistrate Judge Stanley, counsel of record, and any unrepresented parties.

ENTER: September 8, 2008



Joseph R. Goodwin
Joseph R. Goodwin, Chief Judge